

ENTERED

October 14, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

| | | |
|------------------------------|---|--------------------------------|
| CITY OF JAMAICA BEACH, | § | |
| | § | |
| Plaintiff/Counter-Defendant, | § | |
| | § | |
| VS. | § | CIVIL ACTION NO. 3:20-CV-00241 |
| | § | |
| MARK WILLIAMS, M.D. | § | |
| EXECUTOR OF THE ESTATE OF | § | |
| MILDRED E. WILLIAMS, ET AL., | § | |
| | § | |
| Defendant/Counter-Plaintiff. | § | |

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**


On September 15, 2020, all non-dispositive pretrial matters in this case were referred to United States Magistrate Judge Andrew M. Edison pursuant to 28 U.S.C. § 636(b)(1)(A). Dkt. 22. On September 29, 2020, Judge Edison filed a memorandum and recommendation (Dkt. 26) recommending that the City of Jamaica Beach's motion to remand (Dkt. 5) be granted.

On October 13, 2020, the defendant/counter-plaintiff filed objections. *See* Dkt. 28. In accordance with 28 U.S.C. § 636(b)(1)(C), this court is required to "make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." After conducting this de novo review, the court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.*; *see also* FED. R. CIV. P. 72(b)(3).

The court has carefully considered the objections; the memorandum and recommendation; the pleadings; and the record. The court accepts Judge Edison's memorandum and recommendation and adopts it as the opinion of the court. It is therefore ordered that:

- (1) Judge Edison's memorandum and recommendation (Dkt. 26) is approved and adopted in its entirety as the holding of the court;
- (2) The city's motion to remand (Dkt. 5) is granted;
- (3) This action, originally numbered CV-0082358, is remanded back to the Galveston County Court at Law Number Three (3) of Galveston County, Texas, effective immediately; and
- (4) A certified copy of this order will be mailed by the clerk of this court to the Clerk of the Galveston County Court at Law Number Three (3) of Galveston County, Texas, entitling that court to proceed with the action according to the laws of the State of Texas.

Signed on Galveston Island this 14th day of October, 2020.



JEFFREY VINCENT BROWN
UNITED STATES DISTRICT JUDGE